

<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional) 02307K-154610US	
I hereby certify that this correspondence is being filed via EFS-Web with the United States Patent and Trademark Office on <u>July 31, 2009</u> Signature <u><i>Kimberly Heldt</i></u> Typed or printed name <u>Kimberly Heldt</u>		In re Application of <u>CHENG et al.</u> <hr/> Application Number <u>10/512,124</u> Filed <u>August 26, 2005</u> <hr/> For <u>METHODS FOR STIMULATING TLR/IRF3 PATHWAYS FOR INDUCING ANTI-MICROBIAL, ANTI-INFLAMMATORY AND ANTICANCER RESPONSES</u> <hr/> Art Unit <u>1647</u> Examiner <u>Ian D. Dang</u>	

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 540

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ 270  
☐ A check in the amount of the fee is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☐ The Director has already been authorized to charge fees in this application to a Deposit Account.  
☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 20-1430.  
☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

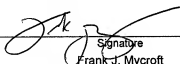
I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)

☒ attorney or agent of record.  
Registration number 46,946

☐ attorney or agent acting under 37 CFR 1.34.  
Registration number if acting under 37 CFR 1.34. \_\_\_\_\_

  
 \_\_\_\_\_  
 Signature  
Frank J. Mycroft  
 Typed or printed name  
 \_\_\_\_\_  
 (925) 472-5000  
 Telephone number  
 \_\_\_\_\_  
 July 31, 2009  
 Date  
 \_\_\_\_\_

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of 1 forms are submitted.